Dr. Don Atteberry

Emergency Cease and Desist Order

DATE: October 12, 2001

RESPONDENT: Dr. Don Atteberry of Topeka, Kansas

ORDER: Emergency Cease and Desist Order issued for allegedly promoting and offering promissory notes purporting to provide a 12% yield, based upon a minimum \$5,000 investment, and involving the purchase and exportation of cattle embryos. The Order alleges that neither the investment opportunity nor the respondent were properly registered under the Kansas Securities Act.

Cease and Desist Order

DATE: May 11, 2005

RESPONDENTS: Dr. Donald G. Atteberry of Topeka, Kansas

ORDER: The respondent was ordered to cease and desist from offering and selling promissory notes involving the purchase and exportation of cattle embryos.

ALLEGATIONS: Securities Fraud, unregistered broker-dealer or agent and unregistered securities

This order follows an uncontested Emergency Cease and Desist Order issued in October 2001 against the respondent, in which the Securities Commissioner found that the respondent violated the Kansas Securities Act in connection with the sale of an investment opportunity involving cattle embryos. This order alleges that, in violation of the 2001 order, the Respondent has continued to solicit approximately fifty-one new investors between October 2001 and April 2005, for total investments of approximately \$3,000,000. This order also alleges that the respondent is using investor funds for his personal use, as well as using funds obtained from new investors to pay off older investors in what is typically known as a Ponzi scheme.

The respondent has requested a hearing to contest the current order.

Notice to Investors: If you are not a resident of Kansas and have been affected by actions that are similar to those described in this synopsis, you should consider contacting your state securities regulator for assistance. To locate your securities regulator, go to the <u>North American Securities Administrators Association</u> website. If you choose to contact your state securities regulator, please inform him or her of the action taken by the State of Kansas.